

**REMARKS**

Claims 1-16 and 20-27 are pending in the instant application after this amendment adds new claims 26 and 27. Claims 1-16 and 20-25 are amended herein to clarify the recited subject matter. No new matter is added by the amendments and new claims, which are supported throughout the specification and figures. In particular, the amendments are supported at least by figures 1-4 and the accompanying description, and the new claims is supported at least in the specification in the paragraph beginning at page 3, line 17. In view of the following remarks, favorable reconsideration of this case is respectfully requested.

Claims 2-9 and 11-16 objected to because of an informality. Applicants submit that there is no requirement that the article in a dependent claim be the definite article, and respectfully request a specific citation to the MPEP or CFR requiring such. However, in the interest of expediting prosecution, Applicants have amended the claims as suggested by the Examiner, and therefore respectfully request that the objection be withdrawn.

Claims 1, 3-6, 9, 10, 12-14, 16, and 20-25 are rejected under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent 6,253,218 to Aoki et al. (hereafter Aoki) in view of U.S. Patent Application 2004/0002380 to Brosnan et al. (hereafter Brosnan). Applicants respectfully traverse.

Claims 1 relates to a file processing apparatus that includes, inter alia, an attribute input unit which acquires a value of an attribute for at least one file in order to represent a value of a predetermined attribute for an intended file by using a concept of weight, and a display processing unit which *visually represents the value of the attribute in terms of whether the weight is heavy or light*, by displaying the object at the display position on a screen set by said position determining unit. In the file processing apparatus of claim 1, the display position indicates that a virtual force is exerted on the object displayed on the screen at least in one

direction and *indicates whether the object is comparatively heavy or light with a difference in the display position in the direction of the virtual force.*

The Office Action admits that Aoki fails to explicitly teach the display position indicates that a virtual force is exerted on the object displayed on the screen at least in one direction (Office Action; page 5, lines 1-2). The Office Action relies on Brosnan for this feature, and asserts that Brosnan teaches the display position indicates that a virtual force is exerted on the object displayed on the screen at least in one direction for simulating the display of objects on a screen as determined by their properties (Office Action; page 5, lines 3-6; citing Brosnan; paragraphs 0073, 0130, and 0138).

The Office Action asserts that Brosnan and Aoki are in the same field of endeavor relating to displaying objects according to their attributes. However, this overlooks the fact that Brosnan relates to video gaming, while Aoki relates to three-dimensional data display. The Office Action further asserts that it would have been obvious to one of ordinary skill in the data processing art at the time of the present invention to combine the teachings of the cited references because the virtual forces, as provided by Brosnan, would have given Aoki's system better visualization of data items represented on a screen for the benefit of a user to better understand the placement of data relative to other data and furthermore would make it easier for a user to manage that data (Office Action; page 5, lines 7-13; citing Aoki; col. 2, lines 10-16). However, all of the references in Brosnan relate to a trajectory of an object based on the virtual *physical* properties of the object. There is no suggestion in Brosnan relating to a static display position based on a non-physical attribute, for instance a file size, and therefore there is no motivation to combine Brosnan with Aoki to arrive at the method of the instant invention. The combination of Brosnan and Aoki is improper since they relate to different fields of endeavor.

Additionally, the display in Brosnan does not relate to displaying objects subject to a virtual force based on a value of *an attribute of a file*, as recited in the claim. Therefore, neither reference discloses, nor suggests, visually representing a file in terms of an attribute in terms of whether the object is light or heavy. The Office Action relies on Aoki and figures 46 and 47 as disclosing this feature (Office Action; page 4). However, the cited sections of Aoki suggest representing files in “less dense sub-spaces” (Aoki; col. 20, line 43), and show virtual pages in a 3-D space arranged according to file size (figures 46 and 47). However, none of the Aoki disclosure relates to displaying a file subject to a virtual force based on whether it is light or heavy. Brosnan merely takes the direction of gravitational force in consideration in determining the *direction of movement and trajectory* of the object. Generally, the *same game object* is displayed every time in Brosnan, and so the virtual weight does not change depending on when it is displayed. The references fail to teach representing the attribute of a file with the display position of the object subject to a virtual force. Neither Aoki nor Brosnan disclose or suggest this feature, and therefore for at least this additional reason the claims are allowable.

However, in the interest of expediting prosecution, and for purposes of clarifying the claimed subject matter, the independent claims have been amended to include the element of “the display position indicates that a virtual force is exerted on the object displayed on the screen at least in one direction and *indicates whether the object is comparatively heavy or light with a difference in the display position in the direction of the virtual force*”. It is respectfully submitted that none of the references disclose or suggest indicating whether the object is heavy or light with the display position that varies in the direction of the virtual force. Aoki arranges the virtual objects in order based on file size, but does not arrange the objects as heavy or light subject to a virtual force. Brosnan relates only to the motion of an object by calculating a

trajectory, but does not arrange a display *position* based on a determination whether a file attribute is light or heavy. Therefore for at least these reasons claims 23-25 are allowable.

Claims 2 and 11 are rejected under 35 U.S.C. 103(a) as being obvious over Aoki and Brosnan, and further in view of United States Patent Publication No. 2002/0175896 to Vaananen et al. (hereinafter referred to as Vaananen). Applicants respectfully traverse.

The addition of Vaananen fails to cure the critical deficiency discussed above as regards Aoki and Brosnan applied against the independent claims. Therefore, claims 2 and 11 are allowable for at least the same reasons as their respective base claims, claims 1 and 10, are allowable.

Additionally, dependent claims 2 and 11 have been amended to include the feature of and indicates whether the object is heavy or light by varying the display position in the direction of the virtual force. Therefore, for at least this additional reason claims 2 and 11 are allowable.

Claims 7, 8, and 15 are rejected under 35 U.S.C. 103(a) as being obvious over Aoki and Brosnan, and further in view of United States Patent No. 6,340,957 to Adler et al. (hereinafter referred to as Adler). Applicants respectfully traverse.

The addition of Adler fails to cure the critical deficiency discussed above as regards Aoki and Brosnan applied against the independent claims. Therefore, claims 7, 8, and 15 are allowable for at least the same reasons as their respective base claims, claims 1 and 14, are allowable.

Each of the dependent claims is allowable for at least the same reasons as their respective base claim is allowable.

New claims 26 and 27 depend from claim 1 and are therefore allowable for at least the same reasons as claim 1 is allowable. Additionally, claim 27 recites that the attribute includes at least one of a preparation date, a date of file updating, an importance, a type of file, a number of

files contained in a folder, a the number of sub-folders contained in the folder, a count of file updating, a frequency of file updating. It is respectfully submitted that none of the references disclose or suggest this feature, and therefore for at least this additional reason claim 27 is allowable.

In view of the remarks set forth above, this application is believed to be in condition for allowance which action is respectfully requested. However, if for any reason the Examiner should consider this application not to be in condition for allowance, the Examiner is respectfully requested to telephone the undersigned attorney at the number listed below prior to issuing a further Action.

Any fee due with this paper may be charged to Deposit Account No. 50-1290.

Respectfully submitted,

/Brian E. Hennessey/

---

Brian E. Hennessey  
Reg. No. 51,271

CUSTOMER NUMBER 026304  
Telephone: (212) 940-8800  
Fax: (212) 940-8986/8987  
Docket No.: SCEP 20.732 (100809-00225)  
BEH:fd